

other areas, they are desperate for a couple of extra drops of water, but that might just be too exotic.

□ 0050

These are programs and initiatives that make sense, both for the environment and for fiscal responsibility. Moreover, the Department has been a leader in spurring new technologies, and I thought that is what drives the economy in America.

This amendment is terribly ill-advised, and I would strongly urge all of my colleagues to oppose it.

I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, the gentleman is absolutely right. The military is the largest purchaser of energy in our economy. That is exactly the point.

They should not be forced to purchase energy at vastly inflated prices to soothe the ideological itch of the environmental left.

No one in his right mind would pull into a gas station to pay \$26.60 per gallon for fuel when the gas station next door is selling it for \$2.50. That is exactly what these executive orders are requiring our military to do. It is squandering billions of our dollars and making a mockery of any claim that we are stretching our defense dollars to the utmost.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GUINTA) having assumed the chair, Mr. BOST, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 1314, ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT, AND PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENTS TO H.R. 644, FIGHTING HUNGER INCENTIVE ACT OF 2015

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-146) on the resolution (H. Res. 305) providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt

status of certain organizations, and providing for consideration of the Senate amendments to the bill (H.R. 644) to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 303 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2685.

Will the gentleman from Illinois (Mr. BOST) kindly resume the chair.

□ 0053

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, with Mr. BOST (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from California (Mr. MCCLINTOCK) had been disposed of, and the bill had been read through page 162, line 25.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term "Fair Labor Standards Act" and such disposition is listed as "willful" or "repeated".

Mr. ELLISON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from State?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 303, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, no hard-working American should ever have to worry that her employer will refuse to pay her when she works overtime or takes money out of her paycheck, especially if she works for a

Federal contractor. This practice is known as wage theft.

Right now, Federal contractors who violate the Fair Labor Standards Act are allowed to apply for Federal contracts. This amendment will ensure that funds may not be used to enter into a contract with a government contractor that willfully, and this is important, Mr. Chairman, willfully or repeatedly violates the Fair Labor Standards Act.

Other iterations of this amendment have simply identified any violations of the Fair Labor Standards Act. This one identifies only those contracts wherein the violator has been found to have been willfully or repeatedly in violation.

Now, I hope that both Republicans and Democrats can agree that willful and repeated violations of the Fair Labor Standards Act are unacceptable; that we can find other contractors who do not violate the Fair Labor Standards Act willfully and repeatedly. And this amendment ensures that those in violation of the law do not get taxpayer support.

It also ensures that honest, good contractors who do not willfully and repeatedly violate the Fair Labor Standards Act can have contracts.

Why shouldn't the Federal Government work with contractors who have some modicum of respect for their employees and who do not willfully and repeatedly violate the Fair Labor Standards Act?

This amendment relies upon the violations reported to the Federal Award-ee Performance and Integrity Information System.

Again, when a contractor applies for a Federal contract, there is documentation they have to fill out, including the Federal Awardee Performance and Integrity Information System, and that system looks back to look at the prior 5 years worth of criminal, civil, or administrative agency actions which have a final disposition.

None of these things are pending. None of these things are under appeal. They have been decided.

And this amendment says that wherein violations of the Fair Labor Standards Act have been decided and determined conclusively, and only in the category of those that have been willful and/or repeated, then those particular contractors are contractors whom the U.S. Government shouldn't be doing business with, at least for 5 years, until they clean their act up.

Now, I hope that no one in this body would want to stand on the side of the willful and repeated violators of the Fair Labor Standards Act. It is impossible to me that any Member would want to do that, particularly when we are trying to promote and do business with honest, decent contractors, or at least average and mediocre contractors.

This one has gone to the, again, willful and repeated violators. Very difficult to stand next to them, and I hope